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International Covenant on Civil and Political Rights

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Human Rights Committee

Concluding observations on the initial report of Belize*

1. The Committee considered the initial report of Belize (CCPR/C/BLZ/1) at its 3540th and 3541st meetings (CCPR/C/SR.3540 and 3541), held on 15 and 16 October 2018. At its 3559th meeting, held on 29 October 2018, it adopted the following concluding observations.

A. Introduction

2. The Committee welcomes the submission of the initial report of Belize, albeit late, and the information presented therein. It expresses appreciation for the opportunity to engage, following the adoption in 2013 of the Committee's previous concluding observations in the absence of a report (CCPR/C/BLZ/CO/1), in a constructive dialogue with the State party's delegation on the measures taken by the State party to implement the provisions of the Covenant since its entry into force in 1996. The Committee is grateful to the State party for its written replies (CCPR/C/BLZ/Q/1/Add.2) to the list of issues (CCPR/C/BLZ/Q/1/Add.1), which were supplemented by the oral responses provided by the delegation.

B. Positive aspects

3. The Committee welcomes the following legal, institutional and policy measures taken by the State party:

(a) The establishment of the Trafficking in Persons Unit within the Belize Police Department, in 2018;

(b) The Women in Politics Project aimed at improving women's participation in politics;

(c) The establishment of the National Gender and Gender-based Violence Committee and the district gender-based violence committees to address gender issues in an integrated manner;

(d) The establishment of time frames within the Criminal Procedure Rules, promulgated in 2016, aimed at reducing delay within the justice system.

4. The Committee welcomes the ratification of, or accession to, the following international instruments by the State party:

(a) The International Covenant on Economic, Social and Cultural Rights, on 9 March 2015;

* Adopted by the Committee at its 124th session (8 October–2 November 2018).

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(b) The International Convention for the Protection of All Persons from Enforced Disappearance, on 14 August 2015;

(c) The Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, on 4 September 2015.

C. Principal matters of concern and recommendations

Domestic implementation of the Covenant and constitutional framework

5. While noting that the provisions of the Covenant have been domesticated in the Constitution and in a large number of domestic laws, the Committee remains concerned (CCPR/C/BLZ/CO/1, para. 10) about the very limited number of examples of cases in which the Covenant has been invoked before or applied by courts. It is also concerned that, pursuant to section 3 of the Constitution, fundamental rights and freedoms may be subject to limitations on grounds of public interest and that the test applied by the Supreme Court of Belize to balance all fundamental rights against the public interest raises issues of compatibility with the Covenant, as some Covenant rights may never be restricted or be restricted subject only to very specific conditions provided for therein (art. 2).

6. **The State party should: (a) take all steps necessary to guarantee that the provisions of the Covenant have full legal effect in its domestic legal system so that they can be applied by, or invoked before, domestic courts; (b) implement a thorough, accessible and regularly updated programme of specialized training on the Covenant for judges, prosecutors and lawyers to ensure that they apply and interpret domestic law in the light of the Covenant; and (c) review its constitutional law to ensure that rights protected by the Covenant are not restricted any further than allowed under the Covenant.**

Reservations

7. The Committee reiterates its concerns (CCPR/C/BLZ/CO/1, paras. 6–8) about the State party's reservations to article 12 (2) and article 14 (3) (d) and (6) and their incompatibility with the object and purpose of the Covenant. It is especially concerned that: (a) the State party's reservation to article 12 (2), on the ground that national interests justify the statutory provision requiring persons intending to travel abroad to furnish tax clearance certificates, does in practice disproportionately restrict freedom of movement; and (b) the State party's reservations to article 14 (3) (d) and (6) jeopardize the interests of justice (arts. 2, 12 and 14).

8. **The State party should consider withdrawing its reservation to article 12 (2) and remove all practical barriers to freedom of movement. Taking into account the Committee's general comment No. 32 (2007) on the right to equality before courts and tribunals and to a fair trial, the State party should consider withdrawing its reservation to article 14 (3) (d) and (6) with a view to serving the interests of justice.**

National human rights institution

9. While noting the existence of governmental bodies mandated with human rights protection, such as the National Committee for Families and Children and the National Women's Commission, as well as information about a feasibility study for the establishment of a national human rights institution, the Committee reiterates its concerns (CCPR/C/BLZ/CO/1, para. 9) that the State party has not yet established such an institution in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). The Committee welcomes the increase of the budgetary allocation for the Office of the Ombudsman of Belize, but remains concerned that the Office still lacks sufficient human and financial resources to carry out its mandate (art. 2).

10. **The State party should strengthen its efforts to: (a) establish a national human rights institution with a mandate to protect the full range of human rights that is fully compliant with the Paris Principles and functions independently, transparently and**

effectively to promote and protect human rights; and (b) provide the Office of the Ombudsman with continued financial and human resources that are sufficient to carry out its mandate effectively.

Non-discrimination framework

11. The Committee notes that the principle of non-discrimination is enshrined in the Constitution and that a process to address non-discrimination comprehensively through an anti-discrimination bill has been initiated. It regrets, however, that the current frameworks: (a) do not fully cover all the prohibited grounds contained in articles 2 and 26 of the Covenant, particularly language, religion, opinion, social origin, property, birth, sexual orientation and gender identity and other status; and (b) do not provide victims with effective civil and administrative remedies (arts. 2 and 26).

12. The Committee is also concerned about section 5 (1) of the Immigration Act (2000), which prohibits entry into the State party to certain categories of foreigners on the basis of their health status, disability, sexual orientation or other status, including persons with physical or psychosocial disability, persons identified by immigration authorities as "homosexuals" or prostitutes (arts. 2 and 26).

13. **The State party should: (a) adopt comprehensive civil and administrative legislation against discrimination that includes a definition of discrimination, both direct and indirect, including in the private sphere, and contains a non-exhaustive list of grounds of discrimination, including, inter alia, language, religious belief, sexual orientation and gender identity; (b) provide access to effective and appropriate remedies for all victims of discrimination; and (c) review section 5 (1) of the Immigration Act (2000) and ensure that any person who has been denied entry on such discriminatory grounds has access to effective remedies.**

Discrimination based on sexual orientation and gender identity

14. The Committee welcomes the Supreme Court's decision in *Caleb Orozco v. The Attorney General of Belize et al.* (2016), in which the Court recognized the unconstitutionality and discriminatory character of section 53 of the Criminal Code with regard to its criminalization of same-sex sexual conduct between consenting adults. It remains concerned, however, at credible allegations that lesbian, gay, bisexual, transgender and intersex individuals are stigmatized and are subject to de facto discrimination in the enjoyment of a range of rights on the basis of their sexual orientation and/or gender identity. The Committee is specifically concerned at reports of: (a) hate speech in media targeting lesbian, gay, bisexual, transgender and intersex individuals, with total impunity; and (b) violence, harassment and police abuse of authority experienced by lesbian, gay, bisexual, transgender and intersex individuals, a state of affairs that is exacerbated by the lack of effective investigations into such allegations and their lack of documentation in relevant databases (arts. 2, 7, 9, 20 and 26).

15. **The State party should: (a) repeal section 53 of the Criminal Code and decriminalize same-sex sexual conduct between consenting adults; (b) explicitly reject any form of social stigmatization, discrimination and violence against persons based on their sexual orientation or gender identity and undertake to combat hate speech by public or private persons targeting lesbian, gay, bisexual, transgender and intersex individuals; (c) remove any barriers to the enjoyment of rights by lesbian, gay, bisexual, transgender and intersex individuals; (d) facilitate access to justice by victims of harassment, violence and police abuses, including by strengthening trust between lesbian, gay, bisexual, transgender and intersex individuals and State authorities and increasing the financial and human resources of complaint-receiving bodies such as the Professional Standards Branch; and (e) ensure the investigation, prosecution and punishment of any act of violence motivated by the victim's sexual orientation or gender identity and ensure the systematic collection of data about such acts.**

Gender equality

16. The Committee, while noting the draft amendments to the Representation of the People Act that would provide for a quota system to increase the representation of women in the National Assembly, remains concerned about the continued underrepresentation of women in public and political life, particularly in decision-making positions. Moreover, it expresses concern about the female unemployment rates, which appear to be triple those of men, and about the persistent wage gap between men and women (arts. 2, 3, 25 and 26).

17. **The State party should strengthen its efforts to: (a) achieve the equal representation of women in political and public life, including through the introduction of temporary special measures such as quotas, and in the work force; and (b) take effective measures to close the wage gap between men and women.**

Gender-based violence

18. While welcoming the State party's efforts to address gender-based violence, the Committee remains concerned at reports of the persistence of the phenomenon, including domestic violence, rape and increasing cases of femicide. It particularly regrets: (a) low rates of reporting of such acts and low rates of completed proceedings, as well the factors which cause and exacerbate such phenomena, including persistent social stigma and fear of reprisals, which foster impunity for perpetrators and creates barriers to assistance, protection and reparation for the victims; and (b) the lack of sufficient shelters and resources for assistance to victims (arts. 2, 3, 6, 7 and 26).

19. **The State party should continue and fortify its efforts to prevent and combat acts of violence against women, including by strengthening the institutions responsible for applying the existing legislative framework. To this end, it should: (a) effectively investigate all cases of violence against women and girls, bring the perpetrators to justice and, if found guilty, punish them with penalties commensurate with the gravity of the offences; (b) strengthen measures to encourage and facilitate victims' access to justice and means of protection; (c) continue to improve its research and data-collection methods and systems, such as the Gender-Based Violence Surveillance System, in order to establish the extent of the problem, its causes and consequences on women; (d) expedite the implementation of the National Gender-Based Violence Plan of Action, 2017–2020; and (e) ensure the accessibility of the necessary number of shelters, with adequate and sufficient resources to provide effective assistance services to victims.**

Voluntary termination of pregnancy and maternal mortality

20. The Committee is concerned that section 112 of the Criminal Code criminalizes voluntary termination of pregnancy except when two medical practitioners certify that the continuance of the pregnancy would involve risk to the life of, or injury to, the physical or mental health of the pregnant woman or when there are risks that the child will be born with "abnormalities". It is concerned that the restrictions in this legislation, as applied in the State party, compel women and girls to resort to unsafe abortions that place their lives and health at risk. It regrets the lack of information from the State party regarding the level of maternal mortality relating to unsafe abortion and the measures taken reduce such mortality (arts. 3, 6, 7, 17, 24 and 26).

21. **The State party should: (a) review its legislation to ensure safe, legal and effective access to abortion where the life and health of the pregnant woman or girl is at risk and where carrying a pregnancy to term would cause the pregnant woman or girl substantial pain or suffering, most notably where the pregnancy is the result of rape or incest or is not viable; (b) remove barriers, such as approval by two physicians, that deny effective access by women and girls to safe and legal abortion; (c) ensure that women and girls who have abortions, as well as the physicians assisting them, are not subjected to criminal sanctions as such sanctions compel women and girls to resort to unsafe abortions; and (c) ensure unimpeded access to sexual and reproductive health services and education and contraception for men, women and adolescents nationwide.**

Death penalty

22. While noting that the State party has observed a de facto moratorium since 1985 and the delegation's explanation of reasons for the retention of the death penalty, such as public support, the Committee expresses its concern that such a punishment remains on the books (art. 6).

23. **The State party should: (a) establish an official moratorium on the death penalty with a view to abolishing it; (b) consider acceding to the Second Optional Protocol to the Covenant, aiming at the abolition of the death penalty; (c) until such time as the death penalty is abolished, undertake a comprehensive review of relevant legislation to ensure that the death penalty cannot be imposed in violation of the Covenant; and (d) consider appropriate awareness measures to mobilize public opinion in support of abolition of the death penalty.**

Duty to protect the right to life

24. The Committee, while taking note of the State party's efforts to prosecute cases of murder and attempted murder, in particular the amendment to the Jury Act and Evidence Act, remains concerned at the increase in homicide rates and the low number of prosecution of such offences in the State party. Recalling its general comment No. 31 (2004) on the nature of the general legal obligation imposed on States parties to the Covenant, the Committee reiterates that positive obligations on States parties to ensure Covenant rights can be fully discharged only if individuals are also protected against acts committed by private persons or entities that would impair the enjoyment of Covenant rights (arts. 2 and 6).

25. **The State party should strengthen its efforts to protect the right to life of its citizens effectively, inter alia by: (a) reinforcing the financial and human resources of its police and judicial departments; (b) implementing the amendments to the Jury Act and the Evidence Act; and (c) conducting prompt, effective and thorough investigations in order to convict all those responsible for murder or attempted murder.**

Excessive use of force by law enforcement personnel

26. While taking note of the information provided that regular trainings are provided to members of the Coast Guard, the Belize Police Department and the Belize Defence Force to discourage excessive use of force and firearms, the Committee reiterates its concern about continuing reports of excessive use of force and firearms by law enforcement personnel, particularly police officers, including against minors. It welcomes the information that the Independent Complaints Commission will be fully operational in early 2019 and that the offices of the Professional Standards Branch are currently physically separate from police stations. It is concerned, however, at the reported mistrust regarding the impartiality of the Professional Standards Branch and at the lack of resources needed for it to adequately carry out its mandate (art. 6).

27. **The State party should: (a) strengthen its efforts to combat the excessive use of force by law enforcement personnel; (b) ensure that the regulations on the use of force and the application thereof are fully in line with international standards, including the Covenant and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, and that law enforcement personnel are trained in these standards and apply them in practice; (c) ensure that cases of alleged brutality or excessive use of force, including lethal force, by law enforcement personnel are automatically and promptly investigated and victims provided with effective remedies; and (d) step up its efforts to make the Independent Complaints Commission fully operational and ensure the independence, impartiality and sufficient funding of the Professional Standards Branch, with the aim of fostering a relationship of trust between potential complainants and the Branch.**

Torture and ill-treatment

28. While taking note of the establishment of an interministerial committee to implement the recommendations of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and to define torture as a matter of priority, the Committee remains concerned that acts of torture remain undefined in sections 79 to 95 of the Criminal Code under the title "criminal harm to the person". It is concerned, moreover, at allegations of use of torture and ill-treatment in places of detention, including juvenile detention facilities, and regrets the lack of information regarding the number of complaints related to torture or ill-treatment perpetrated by law enforcement personnel (art. 7).

29. **The State party should: (a) update its anti-torture legislation in order to bring the definition of the crime of torture fully into line with the provisions of the Covenant and accepted international standards and to ensure that, in all courts, forced confessions are prohibited and any evidence obtained through torture is inadmissible; (b) strengthen its efforts to prevent torture and ill-treatment and to ensure that all such cases are promptly, thoroughly, and independently investigated, that perpetrators are brought to justice and that victims receive full reparation and, in particular, are offered rehabilitation services; (c) facilitate victims' access to independent and effective mechanisms for lodging complaints of torture; (d) collect accurate data on cases of torture and ill-treatment and the prosecutions, convictions secured and sentences imposed, and make such information public; and (e) ensure that suspected cases of torture and ill-treatment committed by law enforcement personnel are thoroughly investigated, that perpetrators are prosecuted and, if found guilty, sentenced to appropriate punishment and that victims receive compensation and, in particular, are offered rehabilitation assistance.**

Conditions of detention

30. The Committee notes the delegation's statement that the Belize Central Prison is not overcrowded and that the Prison Rules respect the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules). The Committee expresses concern, however, at credible reports, including from the Ombudsman, of: (a) poor prison conditions, including overcrowding, malnutrition, inadequate access to water, poor sanitation and lack of medical care; (b) inter-prisoner violence; and (c) the use of isolation for up to 28 days in small punishment rooms lacking light and ventilation to discipline prisoners. While noting the information that Supreme Court justices visit prisons each year, the Committee remains concerned at the reported lack of availability of visiting justices in charge of receiving, investigating and reporting prisoners' complaints (arts. 7 and 10).

31. **The State party should: (a) take all necessary measures to improve the living conditions and treatment of prisoners; (b) ensure that the Prison Rules are interpreted and practised with the aim of increasing the minimum standards for prisoners in Belize, including at the Belize Central Prison; (c) ensure that an adequate number of visiting justices are available for regular visits to receive complaints by prisoners; and (d) investigate violations of inmates' rights promptly and thoroughly, bring perpetrators to justice with appropriate penalties, and provide effective remedies and full reparation to victims, including adequate compensation.**

Arbitrary detention and pretrial detention

32. The Committee welcomes the adoption of the Criminal Procedure Rules in January 2016, which provide timelines for the conduct of new criminal cases with the aim of minimizing delays. It remains concerned about allegations of arbitrary arrest and detention beyond 48 hours without charge and use of detention as a means of intimidation. It is also concerned about the large number of persons in pretrial detention, particularly persons accused of murder and for periods of up to seven years, and regrets that section 162 of the Indictable Procedure Act has not been amended with a view to ensuring that time spent in pretrial detention is taken into account when calculating the sentence (arts. 9, 10 and 14).

33. **Taking into account the Committee's general comment No. 35 (2014) on liberty and security of person, the State party should take all necessary steps to ensure: (a) the respect in practice of the Criminal Procedure Rules of 2016 and that those arrested or detained on a criminal charge are brought before a judge or other officer authorized by law to exercise judicial power within 48 hours in order to bring their detention under judicial control; (b) that all cases of arbitrary arrest are investigated and those responsible are subjected to disciplinary action and/or judicial proceedings; and (c) that detention is not used as a means of intimidation. The State party should also take measures to address the situation of persons who have been in pretrial detention for many years and review its legislation with a view to ensuring that time spent in pretrial detention is taken into account when calculating the sentence.**

Administration of justice and fair trial

34. While taking note of the information provided by the declaration regarding capacity-building of the Office of the Director of Public Prosecutions, the Committee reiterates its concerns (CCPR/C/BLZ/CO/1, para. 20) about the lack of adequate resources devoted to the judiciary and inordinate delays in the delivery of justice, particularly for those accused of murder. The Committee also regrets that the State party's legislation restricts free legal assistance to capital cases and does not provide systematic legal representation to accused persons, in particular to juveniles facing imprisonment (arts. 9 and 14).

35. **Taking into account the Committee's general comment No. 32, the State party should allocate supplementary budgetary resources for the administration of justice to the greatest extent possible with a view to reducing undue delays, particularly in criminal proceedings. Notwithstanding its reservation to article 14 (3) (d), the State party should guarantee, to the extent possible, the right to have legal assistance assigned to accused persons whenever the interests of justice so require. It should in particular provide juveniles with appropriate assistance in the preparation and presentation of their defence.**

36. The Committee is concerned that children between the ages of 12 and 14 can be held criminally liable when they have been found to have the appropriate maturity to understand the nature and consequences of their criminal conduct (arts. 9 and 14).

37. **The State party should raise the minimum age of criminal responsibility in accordance with international standards.**

Trafficking in persons

38. The Committee reiterates its concerns (CCPR/C/BLZ/CO/1, para. 17) about: (a) the prevalence of trafficking, notably of women and children for the purposes of economic and sexual exploitation; (b) the weak implementation of the Trafficking in Persons Prohibition Act (2013), combined with the very low rates of prosecution and conviction for the crime of trafficking, as well as lenient sanctions against traffickers, including fines; and (c) the low rate of identification of victims. It is particularly concerned at credible allegations of tolerance for and complicity of officials in human trafficking-related offences and impunity for such acts (arts. 3, 7, 8 and 24).

39. **The State party should: (a) strictly implement its domestic legal framework in relation to trafficking in persons, in particular the Trafficking in Persons Prohibition Act (2013); (b) allocate sufficient financial, human and technical resources to the Trafficking in Persons Unit; (c) ensure that suspected cases of trafficking in persons are investigated, that perpetrators are brought to justice and adequately sanctioned upon conviction, particularly when the perpetrator is identified as a member of law enforcement services; and (d) strengthen its efforts to identify victims and provide them with full reparation, appropriate protection and assistance, including by establishing safe houses and shelters.**

Refugees, asylum seekers and migrants

40. The Committee welcomes the reactivation of the Refugee Eligibility Committee in 2015 and of the Refugee Department in 2016. It is concerned, however, about: (a) the very

limited number of persons granted refugee status since 2015; and (b) the situation of an important number of persons recommended by the Refugee Eligibility Committee for recognition as refugees since 2015 and still awaiting the final approval of the Minister of State for Immigration. It is also particularly concerned about the strict implementation of section 8 (1) of the Refugees Act (revised in 2000) which provides for a very short deadline for asylum applications, i.e. 14 days after entry into the territory, without exception, even in the cases of victims of torture and human trafficking, severely traumatized persons and unaccompanied minors. The Committee is concerned that the current implementation of the 14-day deadline places asylum seekers at risk of detention and refoulement (arts. 7, 9 and 13).

41. The Committee is further concerned at the criminalization of irregular immigrants under the Immigration Act (2000) and at reports of indefinite detention of irregular immigrants, including the shared detention of unaccompanied minors and convicted persons in poor conditions. It is also concerned that the Immigration Act provides for immediate departure, order to leave within 60 days and order for removal of irregular immigrants without any right of appeal against such orders (arts. 7, 9, 10 and 13).

42. **The State party should: (a) provide the Refugee Eligibility Committee and the Refugee Department with sufficient resources to carry out their mandates properly and to reduce the important asylum claim backlog; (b) take all measures to ensure a speedy and fair asylum adjudication process, including through the approval without delay of all cases approved by the Refugee Eligibility Committee; (c) repeal section 8 (1) of the Refugees Act, meanwhile refraining from detaining and deporting individuals who claim to fear returning to their country of origin without first ensuring access to a proper substantive review of their claim; and (d) bring its legislation and practices relating to immigration detention into compliance with articles 9 and 10 of the Covenant, taking into account the Committee's general comment No. 35, including by ensuring that detained immigrants, whenever their detention is justified as reasonable, necessary and proportionate, are segregated from convicted criminals.**

Rights of the child

43. The Committee welcomes the State party's efforts to ensure birth registration for all children but remains concerned about reported difficulties in access to the registration services in remote areas. While noting the implementation of statutory instruments that prohibit corporal punishment in schools, the Committee also reiterates its regret (CCPR/C/BLZ/CO/1, para. 18) that corporal punishment is still lawful in the home, in alternative and day-care settings and in juvenile penal institutions (arts. 7, 16 and 24).

44. **The State party should: (a) pursue its efforts to universalize birth registration, particularly in rural and remote areas, including by using mobile registration units; and (b) take all necessary measures to put an end to corporal punishment in all settings, including through the repeal of the provisions of the Criminal Code which permit the use of corporal punishment; and (c) undertake awareness-raising campaigns about the harmful effects of corporal punishment.**

Rights of indigenous peoples

45. The Committee is concerned that, in spite of the consent order issued by the Caribbean Court of Justice on 22 April 2015 in the case *Maya Leaders Alliance et al. v. The Attorney General of Belize*, the recognition of customary land tenure of Maya indigenous peoples remains an unresolved dispute. It also reiterates its concerns (CCPR/C/BLZ/CO/1, para. 25) at reports of contracts and concession agreements for resource exploitation on customary lands concluded without conducting prior consultations with Maya indigenous peoples (art. 27).

46. **The State party should comply with the consent order of the Caribbean Court of Justice and recognize and protect customary land tenure of Maya indigenous peoples. The State party should also guarantee, in law and in practice, genuine good faith consultations with Maya indigenous peoples occupying customary lands prior to**

concluding concession agreements with a view to obtaining their free, prior and informed consent.

D. Dissemination and follow-up

47. The State party should widely disseminate the Covenant, its first periodic report, the written replies to the Committee's list of issues and the present concluding observations with a view to raising awareness of the rights enshrined in the Covenant among the judicial, legislative and administrative authorities, civil society and non-governmental organizations operating in the country and the general public.

48. In accordance with rule 71, paragraph 5, of the Committee's rules of procedure, the State party is requested to provide, by 2 November 2020, information on the implementation of the recommendations made by the Committee in paragraphs 15 (discrimination based on sexual orientation and gender identity), 25 (duty to protect the right to life) and 42 (refugees, asylum seekers and migrants) above.

49. The Committee requests the State party to submit its next periodic report by 2 November 2022 and to include in that report specific up-to-date information on the implementation of the recommendations made in the present concluding observations and of the Covenant as a whole. The Committee also requests the State party, in preparing the report, to broadly consult civil society and non-governmental organizations operating in the country. In accordance with General Assembly resolution 68/268, the word limit for the report is 21,200 words. Alternatively, the Committee invites the State party to agree, by 2 November 2019, to use its simplified reporting procedure, whereby the Committee transmits a list of issues to the State party prior to the submission of its report. The State party's response to the list of issues will constitute the next periodic report to be submitted under article 40 of the Covenant.